

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

FIFTY-EIGHTH LEGISLATIVE DAY  
TUESDAY, MARCH 10, 2015

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent – Wills. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Olivia DeMordaunt, Page.

### 3RD ORDER

#### Approval of Journal

March 10, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-seventh Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 9, 2015

Mr. Speaker:

I transmit herewith enrolled [S 1020](#), [S 1036](#), [S 1042](#), [S 1043](#), [S 1079](#), and [S 1081](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1020](#), [S 1036](#), [S 1042](#), [S 1043](#), [S 1079](#), and [S 1081](#) and, when so signed, ordered them returned to the Senate.

March 9, 2015

Mr. Speaker:

I transmit herewith [SCR 102](#), [S 1040](#), as amended, [S 1080](#), as amended, [S 1059](#), as amended, [S 1071](#), as amended, [S 1056](#), as amended, and [S 1070](#), as amended, which have passed the Senate.

NOVAK, Secretary

[SCR 102](#), [S 1040](#), as amended, [S 1080](#), as amended, [S 1059](#), as amended, [S 1071](#), as amended, [S 1056](#), as amended, and [S 1070](#), as amended, were filed for first reading.

### 5TH ORDER

#### Report of Standing Committees

March 10, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 17](#), [H 236](#), [H 237](#), [H 238](#), [H 239](#), and [H 240](#).

WILLS, Chairman

[HCR 17](#) and [H 239](#) were referred to the Local Government Committee.

[H 236](#) and [H 237](#) were referred to the Revenue and Taxation Committee.

[H 238](#) was referred to the Business Committee.

[H 240](#) was filed for second reading.

March 10, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 70](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 70](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 10, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 55](#), [H 43](#), and [H 96](#) to the Governor at 10:15 a.m., as of this date, March 9, 2015.

WILLS, Chairman

March 10, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 3](#) to the Secretary of State at 10:13 a.m., as of this date, March 9, 2015.

WILLS, Chairman

March 9, 2015

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1088](#) and [S 1097](#) and recommend that they do pass.

DEMORDAUNT, Chairman

[S 1088](#) and [S 1097](#) were filed for second reading.

March 9, 2015

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [S 1100](#) and recommend that it do pass.

RAYBOULD, Chairman

[S 1100](#) was filed for second reading.

March 9, 2015

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [S 1046](#) and [S 1063](#) and recommend that they do pass.

BARBIERI, Chairman

[S 1046](#) and [S 1063](#) were filed for second reading.

March 9, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [S 1004](#), [S 1014](#), [S 1035](#), and [S 1054](#) and recommend that they do pass.

WILLS, Chairman

[S 1004](#), [S 1014](#), [S 1035](#), and [S 1054](#) were filed for second reading.

March 9, 2015

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 216](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[H 216](#) was placed on General Orders for consideration.

March 10, 2015

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 221](#) and recommend that it do pass.

COLLINS, Chairman

[H 221](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

## 7TH ORDER

### Motions, Memorials, and Resolutions

[SCR 102](#), by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

## 8TH ORDER

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 241 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ORDERS PROHIBITING CONDUCT; AMENDING SECTION 18-920, IDAHO CODE, TO REDESIGNATE NO CONTACT ORDERS AS ORDERS PROHIBITING CONDUCT, TO REVISE A PROVISION CONCERNING THE ISSUANCE OF AN ORDER PROHIBITING CONDUCT, TO PROVIDE THAT THE ORDER SHALL DEFINE PROHIBITED CONDUCT, TO PROVIDE THAT THE ORDER SHALL BE SERVED ON THE DEFENDANT PRIOR TO ENFORCEMENT AND TO REVISE PROVISIONS CONCERNING WHEN A VIOLATION OF AN ORDER PROHIBITING CONDUCT IS COMMITTED.

#### HOUSE BILL NO. 242 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-2309, IDAHO CODE, TO REVISE PROVISIONS AND PROCEDURES WHEN AN AUTOMATIC RECOUNT IN AN ELECTION OCCURS; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 243 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO CONCEALED WEAPONS; REPEALING SECTION 18-3302, IDAHO CODE, RELATING TO THE ISSUANCE OF LICENSES TO CARRY CONCEALED WEAPONS; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3302, IDAHO CODE, TO PROVIDE POLICIES AND PROCEDURES IN THE ISSUANCE OF A LICENSE TO CARRY CONCEALED WEAPONS; AMENDING SECTION 18-3302L, IDAHO CODE, TO REMOVE A DEFINITION; REPEALING SECTION 18-3302K, IDAHO CODE, RELATING TO THE ISSUANCE OF ENHANCED LICENSES TO CARRY CONCEALED WEAPONS; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3302K, IDAHO CODE, TO PROVIDE POLICIES AND PROCEDURES IN THE ISSUANCE OF AN ENHANCED LICENSE TO CARRY CONCEALED WEAPONS; AMENDING SECTION 18-3316, IDAHO CODE, TO REMOVE A DEFINITION; AMENDING SECTION 31-870, IDAHO CODE, TO PROVIDE THAT A BOARD OF COUNTY COMMISSIONERS SHALL NOT IMPOSE OR COLLECT A FEE FOR LICENSES TO CARRY CONCEALED WEAPONS; AND AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

#### HOUSE BILL NO. 244 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE STATE LOTTERY; AMENDING SECTION 67-7434, IDAHO CODE, TO REVISE THE FORMULA FOR DISTRIBUTION OF LOTTERY NET INCOME AND DIVIDENDS; AMENDING SECTION 67-7434, IDAHO CODE, AS ENACTED BY SECTION 5, CHAPTER 337, LAWS OF 2014, TO REVISE THE FORMULA FOR DISTRIBUTION OF LOTTERY NET INCOME AND DIVIDENDS; AND PROVIDING AN EFFECTIVE DATE.

#### HOUSE BILL NO. 245 BY EDUCATION COMMITTEE AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-5103, IDAHO CODE, TO REMOVE THE EXCEPTION FOR A FOREIGN EXCHANGE PUPIL ENROLLED IN A SCHOOL DISTRICT UNDER A CULTURAL EXCHANGE PROGRAM FROM APPLYING TO A POSTSECONDARY INSTITUTION TO ENROLL IN NONSECTARIAN COURSES OFFERED BY THAT POSTSECONDARY INSTITUTION; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 246 BY EDUCATION COMMITTEE AN ACT

RELATING TO HARASSMENT, INTIMIDATION AND BULLYING; AMENDING SECTION 18-917A, IDAHO CODE, TO PROVIDE APPLICATION TO AN ADDITIONAL GROUP OF INDIVIDUALS AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1630, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR HARASSMENT, INTIMIDATION AND BULLYING

INFORMATION AND PROFESSIONAL DEVELOPMENT, TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL PROMULGATE CERTAIN RULES, TO PROVIDE THAT SCHOOL DISTRICT POLICIES SHALL INCLUDE A SERIES OF GRADUATED CONSEQUENCES AND TO PROVIDE REPORTING REQUIREMENTS.

**HOUSE BILL NO. 247**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 248**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE COMMISSION ON AGING FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING FOR A MANAGEMENT REVIEW.

**HOUSE BILL NO. 249**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2015; APPROPRIATING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR THE RECOVERY OF STATE CONTROLLER SERVICE COSTS TO THE GENERAL FUND; PROVIDING DEDICATED FUND REAPPROPRIATION AUTHORITY; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 250**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 251**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 252**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE SALES AND USE TAX; AMENDING SECTION 63-3622R, IDAHO CODE, TO IMPOSE A SALES AND USE TAX EXEMPTION FOR SALES OF CERTAIN ITEMS TO NONRESIDENTS FROM STATES NOT IMPOSING A SALES AND USE TAX FOR USE OUTSIDE OF THIS STATE EVEN THOUGH DELIVERY BE MADE WITHIN THIS STATE UNDER CERTAIN CONDITIONS, TO IMPOSE A SALES AND USE TAX EXEMPTION FOR SALES OF CERTAIN ITEMS MANUFACTURED IN IDAHO FOR USE AND LICENSING OUTSIDE OF IDAHO WHEN SOLD DIRECTLY BY THE MANUFACTURER TO THE OUT-OF-STATE PURCHASER

AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR REMITTANCE OF A CERTAIN AMOUNT OF SALES TAX MONEYS TO THE STATE HIGHWAY ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS.

[H 241](#), [H 242](#), [H 243](#), [H 244](#), [H 245](#), [H 246](#), [H 247](#), [H 248](#), [H 249](#), [H 250](#), [H 251](#), and [H 252](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1040](#), as amended, and [S 1056](#), as amended, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

[S 1080](#), as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1059](#), as amended, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1071](#), as amended, and [S 1070](#), as amended, by Education Committee, were introduced, read the first time by title, and referred to the Education Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 213](#) and [H 214](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 202](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1114](#) and [S 1115](#), by Finance Committee, were read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 111](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Crane asked unanimous consent that [H 119](#) be returned to the Business Committee. There being no objection, it was so ordered.

**[H 181](#) - NATUROPATHIC MEDICAL PHYSICIANS**

[H 181](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Romrell to open debate.

Pursuant to Rule 38(3), Mr. Chaney disclosed a conflict of interest regarding [H 181](#).

The question being, "Shall [H 181](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Bell, Beyeler, Burtenshaw, Chew, Clow, Erpelding, Gannon, Gestrin, Gibbs, Hartgen, Hixon, Horman, Jordan, Kauffman, Kerby, King, Kloc, Malek, McDonald, Packer, Pence, Perry, Raybould, Redman, Romrell,

Rubel, Rudolph, Rusche, Smith, Troy, VanOrden, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 37.

NAYS – Andrus, Barbieri, Bateman, Batt, Boyle, Chaney, Cheatham, Collins, Crane, Dayley, DeMordaunt, Dixon, Harris, Holtzclaw, Loertscher, Luker, McCrostie, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Palmer, Scott, Shepherd, Sims, Thompson, Trujillo, Vander Woude. Total – 32.

Absent – Wills. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 181](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### **16TH ORDER Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Wednesday, March 11, 2015. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:05 p.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk